



**UNITED STATES BANKRUPTCY COURT  
CENTRAL DISTRICT OF CALIFORNIA**

In re ) Bk. No. SA00-12295RK  
DFJ Italia, Ltd. )  
 )  
 ) ORDER DENYING REQUEST FOR  
 ) RELEASE OF UNCLAIMED FUNDS  
 ) (28 U.S.C. Section 2042,  
Debtor (s) ) Bankruptcy Rule 9013,  
 ) Bankruptcy Local Rule 3011-1)

On December 21, 2009, Rodrigo Cabanas filed a request for release of unclaimed funds pursuant to 28 U.S.C. Section 2042. The request is denied for the following reason (s):

- \_\_\_\_ 1. A request for an order must be made by written motion according to Bankruptcy Rule 9013. Contact Financial Services at (213) 894-3836 to obtain the appropriate form.
- \_\_\_\_ 2. Motion practice in the United States Bankruptcy Court for the Central District of California is controlled by Local Bankruptcy Rule 3011-1 as promulgated by the United States District Court for the Central District of California. The request does not comply with either Bankruptcy Rule 9013 or Local Bankruptcy Rule 3011-1.
- \_\_\_\_ 3. The name of the claimant listed on the trustee's report is not the same as shown on the motion. No explanation of the difference is provided.
- \_\_\_\_ 4. The address of the claimant listed on the trustee's report is not the same as shown on the motion and the difference is not explained.
- \_\_\_\_ 5. The corporate seal is not stamped on the motion &/or power of attorney.

\_\_\_\_\_ 6. The name on the corporate seal does not match the name listed on the claim.

\_\_\_\_\_ 7. An original power of attorney was not submitted.

\_\_\_\_\_ 8. The Proof of Service has not been completed.

X 9. The Proof of Service is incomplete. The following is missing:  
The motion does not list the United States Attorney, United States Trustee & the debtor as having been noticed.

\_\_\_\_\_ 10. There are insufficient supporting documents showing the claimant to be the successor-in-interest to the funds claimed.

\_\_\_\_\_ 11. There is no resolution with seal that verifies the person signing the motion and/or power of attorney is authorized to sign on behalf of the creditor.

\_\_\_\_\_ 12. The documents supporting the claim have not been certified.

\_\_\_\_\_ 13. Financial Services is unable to locate a copy of the trustee's report which accompanied the deposit of funds in this case.

\_\_\_\_\_ 14. Financial Services has no record the funds being claimed were ever received by the Clerk's Office from the trustee.

\_\_\_\_\_ 15. Fund locator submitting this claim has failed to register with this court.

X 16. No proof of identification provided (driver's license/passport).

\_\_\_\_\_ 17. Other:

Hon. Robert Kwan  
United States Bankruptcy Judge  
JUST - REV

Date